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PATRICK E. DUFFY, CLERK

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA

BILLINGS DIVISION

JARVIS EDMOND CARTER,)	¹⁶⁰ CV-05- 52 -BLG-RFC
)	
Plaintiff,)	
)	
vs.)	
)	
)	ORDER ADOPTING FINDINGS
)	AND RECOMMENDATIONS OF
JOHN BOYD, sued in his individual)	U.S. MAGISTRATE JUDGE
capacity; YELLOWSTONE COUNTY,)	
MONTANA,)	
)	
Defendants.)	
_____)	

On March 15, 2006, United States Magistrate Judge Richard W. Anderson entered his Findings and Recommendation. Magistrate Judge Anderson recommends Carter's Complaint be dismissed without prejudice.

Upon service of a magistrate judge's findings and recommendation, Plaintiff had 20 days to file written objections. 28 U.S.C. § 636. In this matter, no party filed objections to the March 15, 2006 Findings and Recommendation. Failure to object to a magistrate judge's findings and recommendation waives all objections to the findings of fact. *Turner v. Duncan*, 158 F.3d 449,

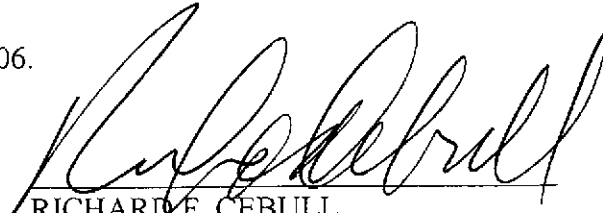
455 (9th Cir. 1999). However, failure to object does not relieve this Court of its burden to review de novo the magistrate judge's conclusions of law. *Barilla v. Ervin*, 886 F.2d 1514, 1518 (9th Cir. 1989).

After an extensive review of the record and applicable law, this Court finds Magistrate Judge Anderson's Findings and Recommendation are well grounded in law and fact and adopts them in their entirety.

Accordingly, **IT IS HEREBY ORDERED** Carter's Complaint [*doc. #1*] is **DISMISSED WITHOUT PREJUDICE** and the docket should reflect that Carter's filing of this action counts as one strike pursuant to 28 U.S.C. § 1915(g).

The Clerk of Court shall enter judgment in favor of Defendants and notify the parties of the making of this Order.

DATED the 5 day of May, 2006.


RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE